

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD J. ALLISON,

Plaintiff

v.

CLARK COUNTY DETENTION CENTER,

Defendant.

Case No. 2:22-cv-00805-RFB-EJY

ORDER

I. DISCUSSION

On May 20, 2022, Plaintiff, an inmate in the custody of the Nevada Department of Corrections (“NDOC”), submitted what appears to be a proposed civil rights complaint under 42 U.S.C. § 1983. ECF No. 1-1. However, Plaintiff’s submission does not comply with Local Special Rule 2-1. Plaintiff also did not submit an application to proceed *in forma pauperis* or pay the \$402 filing fee in this matter.

A. Plaintiff’s Initiating Document

The Court notes that Plaintiff’s document at ECF No. 1-1 does not comply with Local Special Rule 2-1 (“LSR 2-1”). Under LSR 2-1, a civil rights complaint filed by a person who is not represented by an attorney must be submitted on the form provided by the Court or must be legible and contain substantially all the information called for by the Court’s form. Plaintiff’s complaint does neither.

B. There is No Application to Proceed in Forma Pauperis

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to commence a civil action may apply to proceed *in forma pauperis*, which allows the inmate to file the civil action without prepaying the \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court’s approved form (i.e. pages 1 through 3 with the inmate’s two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. If Plaintiff has not been at the facility a full six-month period, Plaintiff must still submit an inmate account statement for the dates he has been present at the facility.

II. ORDER

IT IS HEREBY ORDERED that the Clerk of the Court will send Plaintiff the approved form for filing a § 1983 complaint, instructions for the same, and a copy of his original document at ECF No. 1-1.

IT IS FURTHER ORDERED that Plaintiff will have until **August 5, 2022** to submit a complaint in compliance with LSR 2-1.

IT IS FURTHER ORDERED that the Clerk of the Court will send Plaintiff the approved form application to proceed *in forma pauperis* by an inmate, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that on or before **August 5, 2022**, Plaintiff will either pay the \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52 administrative fee) or file with the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and

(3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint in compliance with LSR 2-1 and a complete application to proceed *in forma pauperis* with all three documents or pay the \$402 filing fee for a civil action on or before **August 5, 2022**, the Court will recommend dismissal

1 of this action without prejudice for Plaintiff to refile the case with the Court, under a new case
2 number, when Plaintiff is able to file a compliance in compliance with LSR 2-1, has all three
3 documents needed to file a complete application to proceed *in forma pauperis* or pays the the \$402
4 filing fee.

5 DATED this 3rd day of June, 2022.

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7 ELAYNA J. YOUCHAK
8 UNITED STATES MAGISTRATE JUDGE
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